

Attorney Docket No. 32892.00002



PATENT

30

AF/GR-1931 \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this paper or fee, including Attachments A-F, are being deposited with the United States Postal Service "Express Mail Post Office to addressee," Express Mail Label No. EE863295453US, under 37 C.F.R. §1.10 on February 26, 1999, and is addressed to the Honorable Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

RECEIVED

LAB 1900

Peter J. Manso, Reg. No. 32,264

February 26, 1999

Express Mail Date

Express Mail Label No. EE863295453US

In re Application of: David J. Bova
Serial No.: 08/368,378
Filing Date: January 14, 1995
Group Art Unit: 1931
Examiner: J. Venkat
Title: *NICOTINIC ACID COMPOSITIONS FOR TREATING
HYPERLIPIDEMIA AND RELATED METHODS THEREFOR*

Assistant Commissioner of Patents
Washington, D.C. 20231

February 26, 1999

Dear Sir:

TRANSMITTAL

Submitted herewith are the following papers:

- (1) Notice of Appeal;
- (2) Response to Final, including Attachments A-F
 - (A) Attachment A - Copy of 37 CFR §1.131 Declaration executed by David Bova on March 27, 1996,
 - (B) Attachment B - Copy of 37 CFR §1.131 Declaration executed by David Bova on August 17, 1995,
 - (C) Attachment C - Copy of 37 CFR §1.132 Declaration executed by Arthur Raines, Ph.D., on May 22, 1996,
 - (D) Attachment D - 37 CFR §1.608(b) Declaration executed by George M. Toth on

Express Mail No.: EE863295453US
IPDAL:18003.1 32892-00002

February 26, 1999,
(E) Attachment E - Copy of the FDA approval letter, dated July 28, 1997, and
(F) Attachment F - Copy of the Parent Application filed on September 20, 1993; and


(3) Return Postcard.

A petition for an extension of time of three months to respond to the Final Office Action mailed on August 26, 1998 is hereby requested.

The Assistant Commissioner for Patents is hereby authorized to charge any and all fees due which may be required by this paper, including the \$150.00 fee associated with the filing of the Notice of Appeal and any extension of time fees, to Deposit Account No. 10-0447/32892.00002. This paper is submitted herewith in duplicate.

Respectfully Submitted,

Date: February 26, 1999


Peter J. Manso
Reg. No. 32,264

Jenkins & Gilchrist, P.C.
1445 Ross Ave.
Suite 3200
Dallas, Texas 75202
(214) 855-4500
(214) 855-4300 (Fax No.)
(954) 752-7169 (Direct Dial)